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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

MARTRELL JOHNSON,

Defendant and Appellant.

D062887

(Super. Ct. No. SCD216913)

APPEAL from a judgment of the Superior Court of San Diego County, Jeffrey F. Fraser, Judge. Affirmed with directions.

Daniel G. Koryn, under appointment by the Court of Appeal, for Defendant and Appellant.

Kamala D. Harris, Attorney General, Dane R. Gillette, Chief Assistant Attorney General and Julie L. Garland, Assistant Attorney General, for Plaintiff and Respondent.

Martrell Johnson entered a negotiated guilty plea to voluntary manslaughter (Pen. Code, § 192, subd. (a))<sup>1</sup> and carjacking (§ 215, subd. (a)) with personal firearm use (§ 12022.53, subd. (b)) for the benefit of a criminal street gang (§ 186.22, subd. (b)(1)). The court sentenced him to 25 years in prison: the five-year middle term for carjacking, 10 years for each enhancement and a concurrent term for voluntary manslaughter. Johnson appeals, contending the abstract of judgment should be corrected to reflect that the \$9,208.90 restitution fine was imposed joint and severally with the codefendants, as reflected in the reporter's transcript and the minutes. Respondent properly concedes the point.

#### DISPOSITION

The judgment is affirmed. The trial court is directed to correct the abstract of judgment to reflect joint and several liability for the \$9,208.90 restitution fine and to forward the corrected abstract to the Department of Corrections and Rehabilitation.

HUFFMAN, Acting P. J.

WE CONCUR:

NARES, J.

O'ROURKE, J.

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<sup>1</sup> All statutory references are to the Penal Code.